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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,839	11/30/2000	Ashok Machcha	Q00-1017-US1	3918

32093 7590 08/16/2004

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EXAMINER

WATKO, JULIE ANNE

ART UNIT PAPER NUMBER

2652

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/727,839	Applicant(s) MACHCHA ET AL.	
	Examiner Julie Anne Watko	Art Unit 2652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on June 28, 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-19,21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 and 8-19 is/are allowed.
- 6) ☒ Claim(s) 21 is/are rejected.
- 7) ☒ Claim(s) 22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/01/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02/10/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings were received on November 1, 2003. These drawings are acceptable.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 21 is rejected under 35 U.S.C. 102(e) as being anticipated by Ekhoﬀ (US Pat. No. 6097568).

See especially Fig. 5.

As recited in claim 21, Ekhoﬀ shows a disk drive assembly comprising: a spindle 16 adapted to rotate about a longitudinal axis; at least one data storage disk 14 surrounded by fluid medium, each disk having a disk outer edge and an a disk inner edge, each disk being mounted on the spindle to rotate therewith about the spindle longitudinal axis, rotation of the disks in a first direction creating a flow of the fluid medium in the first direction (see arrows in Fig. 5), at least one disk having approximately concentric tracks disposed at different radial positions between the disk outer edge and the disk inner edge; at least one slider assembly 70, each slider assembly including at least one transducer head for reading and writing information from a disk; an actuator assembly (including 66 and 68) for positioning the slider assembly over the tracks,

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the actuator assembly including a leading edge (upper left in Fig. 5) and a trailing edge (lower right in Fig. 5), wherein the leading edge of the actuator assembly is disposed upstream from the trailing edge of the actuator assembly; a baffle (10 including 62) disposed upstream of the actuator assembly, the baffle extending in a direction of the spindle longitudinal axis and having an inner surface disposed outside of the outer edges of the disks; and combs 42 mounted on the baffle, at least one of the combs having a leading edge and a trailing edge, wherein the leading edge of the comb is disposed upstream of the trailing edge of the comb and wherein the trailing edge of the comb is substantially parallel to the leading edge of the actuator assembly (see Fig. 5) when the actuator assembly is positioned to read a data track near the disk inner edge (see also col. 6, line 6-7, "in alternate embodiments, the fingers 42 may be positioned at any desirable angle").

4. Claim 21 is rejected under 35 U.S.C. 102(b) as being anticipated by Tohkairin (US Pat. No. 5140578).

See especially Fig. 3.

As recited in claim 21, Tohkairin shows a disk drive assembly comprising: a spindle 34 adapted to rotate about a longitudinal axis; at least one data storage disk 3 surrounded by fluid medium, each disk having a disk outer edge and an a disk inner edge, each disk being mounted on the spindle to rotate therewith about the spindle longitudinal axis, rotation of the disks in a first direction creating a flow of the fluid medium in the first direction, at least one disk having approximately concentric tracks disposed at different radial positions between the disk outer edge and the disk inner edge; at least one slider assembly 31, each slider assembly including at least one transducer head for reading and writing information from a disk; an actuator assembly

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(including 30) for positioning the slider assembly over the tracks, the actuator assembly including a leading edge and a trailing edge, wherein the leading edge of the actuator assembly is disposed upstream from the trailing edge of the actuator assembly; a baffle 2 disposed upstream of the actuator assembly, the baffle extending in a direction of the spindle longitudinal axis (see Fig. 8) and having an inner surface disposed outside of the outer edges of the disks (see Fig. 3); and combs 27 mounted on the baffle, at least one of the combs having a leading edge and a trailing edge, wherein the leading edge of the comb is disposed upstream of the trailing edge of the comb and wherein the trailing edge of the comb is substantially parallel to the leading edge of the actuator assembly when the actuator assembly is positioned to read a data track near the disk inner edge (see Fig. 3).

Allowable Subject Matter

5. Claims 1-6, 8-15 and 19 are allowed.
6. Claim 22 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter:
See Applicant's arguments filed November 1, 2003, which are persuasive.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

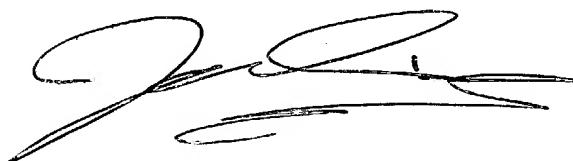
9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Anne Watko whose telephone number is (703) 305-7742. The examiner can normally be reached on Monday-Thursday, 9AM-5PM, Friday 9AM-7:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on (703) 305-9687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Julie Anne Watko
Primary Examiner
Art Unit 2652

August 7, 2004
JAW

A handwritten signature in black ink, appearing to read 'Julie Anne Watko', with a stylized flourish at the end.